

**Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, DC 20554**

In the Matter of)	
)	
Request for Review of the)	
)	
Decision of the)	CC Docket No. 02-6
Universal Service Administrative Company)	
)	File No. _____
By)	
)	
Milford Exempted Village School District)	
FCC Form 486 Application #: 973076)	
Form 486 Identifier: 486 12-13)	
Funding Request #s: 1888764, 2015761,)	
1973955)	

To: Office of the Secretary, FCC
Attention: Chief, Wireline Competition Bureau

REQUEST FOR REVIEW AND WAIVER

Pursuant to 47 C.F.R. §54.719(c), the Milford Exempted Village School District (“Milford,” “Applicant,” or “District”) respectfully requests review of the September 5, 2013 decision by the Schools and Libraries Division (“SLD”) of the Universal Service Administrative Company (“USAC”) to change the start date of service and, in turn, reduce the District’s funding request for Funding Year 2012 due to the late filing of a Form 486.

The District does not deny the late filing of its Form 486. However, as will be shown herein, the District’s delay in filing was a ministerial error which was the result of employee turnover, miscommunication and a failure to receive a copy of its Funding Commitment Decision Letter (“FCDL”). Moreover, USAC never contacted Milford to let them know that

they had failed to file their Form 486 as required by the Commission. Each of these errors is of the type routinely forgiven by the Commission; and the applicant is entitled to the full amount of funding originally granted in the FCDL.

RELEVANT BACKGROUND

Prior to the 2012 Funding Year, the Milford School District faced a number of personnel changes that required employees not otherwise familiar with E-rate matters to take over E-rate responsibilities. The turnover commenced in the summer of 2011 when Milford downsized a number of staff members as part of a reorganization and, as a result, removed the role of technology coordinator. The duties of the technology coordinator, including oversight of E-rate matters, were divided among school personnel. Jeff Johnson, the Operations Manager for Milford, was assigned to E-rate matters. In addition to E-rate, his responsibilities included, but were not limited to, facility management, oversight of nutrition services, transportation, maintenance and custodial services, union negotiations, security services and building construction. Needless to say, his responsibilities extended far beyond technology and E-rate matters. For the 2012 Funding Year, he filed the school's Forms 470 and 471.¹

Recognizing that Mr. Johnson's plate was full prior to the addition of the E-rate responsibilities, in January of 2012 the District hired an outside consultant, Ed Keyes to take over the District's E-rate matters. Due to the timing of the hire, Mr. Johnson did not understand that Mr. Ed Keyes would only begin to take over E-rate matters for the 2013 Funding Year and had not been hired to oversee filings in process from the 2012 Funding Year. Accordingly, Mr. Johnson assumed that all filings for the 2012 Funding Year were being taken care of, as well.

It was not until late August of 2013 that Mr. Johnson realized that the Form 486 for the 2012 Funding Year had not been filed. He had no record of ever receiving an FCDL from

¹ See Declaration of Jeff Johnson, attached hereto as Exhibit A.

USAC nor had he been notified by USAC that the forms had not been filed. On August 21, 2012, Mr. Johnson was contacted by a consultant, unaffiliated with the school, who mentioned that the forms had not been filed. He contacted the District's consultant, Mr. Keyes, to confirm that this was the case and after further investigation realized what had happened. Mr. Johnson then filed the Form 486 on August 23, 2013 showing a start date for discounted services as the previous July 1, 2012.² On September 5, 2013, USAC sent Mr. Johnson a Form 486 Notification Letter showing a service start date change from July 1, 2012 to April 25, 2013.³ The adjusted funding commitment was reduced by \$91,984.50 from the original award.

DISCUSSION

The Commission has consistently granted waivers of filing deadlines involving ministerial and/or clerical errors due to changes in school staff. The FCC recognizes that school employees hired to undertake E-rate matters are often not trained in E-rate work and have additional responsibilities to fulfill.⁴ Moreover, starting in 2006 the Commission recognized that the failure to file forms due to ministerial and/or clerical issues was having a significant effect on funding. As a result, the FCC required USAC to notify applicants that they had missed the Form 486 filing deadline and provide them with 15 days to file the Form.⁵

The Commission first waived filing deadlines, such as the Form 486 filing deadline, where the failure to file was the result of clerical or ministerial errors in 2006 in the *Bishop Perry Order*.⁶ In *Bishop Perry*, the Commission found that granting waivers for schools that had been denied funding due to clerical errors fulfilled the requirements of Section 254 to “enhance ...

² See Form 486 and certification filed in August 23, 2013 attached hereto as Exhibit B; see also, *Declaration of Jeff Johnson* at Exhibit A.

³ See Form 486 Notification Letter Report attached as Exhibit C.

⁴ *In the Matter of Request for Review of the Decision of the Universal Service Administrator by Bishop Perry Middle School, New Orleans, LA, et al.*, 21 FCC Rcd 5316 (2006) (“*Bishop Perry Order*”).

⁵ *In the Matter of Requests for Review and Waiver of the Decision of the Universal Service Administrator by Alaska Gateway School District, TOK, AK, et al.*, 21 FCC Rcd 10182 (2006) (“*Alaska Gateway Order*”).

⁶ *Bishop Perry Order*, 21 FCC Rcd 5316 (2006).

access to advanced telecommunications and information services for all public and non-profit elementary and secondary school classrooms, health care providers and libraries.”⁷ The Commission noted that as a result of granting the waivers, deserving schools would receive funding that would have otherwise been denied due to a mistake.⁸

That same year in the *Alaska Gateway Order*,⁹ the Commission followed precedent from the *Bishop Perry Order* and granted waivers for 128 appellants that had failed to timely submit their Forms 486. The Commission acknowledged in *Alaska Gateway* that: “the primary jobs of most of the people filling out these forms include school administrators, technology coordinators and teachers, as opposed to staff dedicated to pursuing federal grants, especially in small school districts.”¹⁰ This is also very true of Milford where the person responsible for E-rate is overwhelmed with other duties. Moreover, the Commission found that “[g]iven that the applicants missed a USAC procedural deadline and did not violate a Commission rule, we find that the complete rejection of each of these applications is not warranted [....] Furthermore, we find that denial of funding in these cases would inflict undue hardship on the applicants.”¹¹

Notably, *Alaska Gateway* also established a requirement that USAC develop a “targeted outreach program” to let applicants know that they had missed the Form 486 deadline and provide those applicants with 15 calendar days from the date of receipt of the notice to file or amend their Form 486.¹² The outreach was intended to “help applicants file timely and correct forms” and avoid the type of funding denials Milford now faces.¹³

⁷ *Id.* at 5320, ¶9 (citing 47 U.S.C. §254(h)).

⁸ *Id.*

⁹ *Alaska Gateway Order*, 21 FCC Rcd 10182 (2006).

¹⁰ *Id.* at ¶7.

¹¹ *Id.* at ¶7.

¹² *Id.* at ¶8.

¹³ *Id.* at ¶8.

More recent orders have followed the precedent set by *Bishop Perry* and *Alaska Gateway*. In the *State of Arkansas Order*, the Commission waived the Form 486 deadline for multiple school districts and libraries that claimed that “staff mistakes or confusion” resulted in applicants missing the filing deadline.¹⁴ The *Alcona County Order* likewise granted the appeals of petitioners that had claimed that “staff mistakes or confusion” had led to failing to file the Form 486 in a timely manner.¹⁵ In the *Peace Chicago Order*, the Commission waived the Form 486 deadline for multiple applicants that had missed the Form 486 deadline, including applicants that stated that staff changes had resulted in the late filing of their forms.¹⁶

The circumstances justifying waiver of the Form 486 deadline cited to in the *Bishop Perry*, *Alaska Gateway*, *State of Arkansas*, *Alcona* and *Peace Chicago Order* are no different than the circumstances in the present case. Due to staffing changes at the school, the E-rate responsibilities were handed over to two different parties over the course of the 2012 Funding Year, one of which was an outside consultant. Such changes led to Mr. Johnson’s confusion over whether he was responsible for filing the Form 486. Moreover, USAC failed to provide Mr. Johnson or Milford with notice that the school had missed the Form 486 deadline, as required by the Commission in the *Alaska Gateway Order*.

The consequences of losing funding for the 2012 funding year are significant for the District. Absent a waiver, the District will be liable for \$91,984.50. While a waiver in this case would have a minimal impact on the universal service fund, as the funds were already approved in the FCDL and held in reserve, the impact on the District would be significant.

¹⁴ *In the Matter of Requests for Review and Waiver of Decisions of the Universal Service Administrator by State of Arkansas Department of Information Systems Little Rock, Arkansas, et al.*, 23 FCC Rcd 9373 at ¶8 (2008) (“*State of Arkansas Order*”).

¹⁵ *Requests for Waiver of Decisions of the Universal Service Administrator by Alcona County Library Harrisville, Michigan, et al.*, 23 FCC Rcd 15500 at ¶5 (2008) (“*Alcona County Order*”).

¹⁶ *Requests for Waiver of Decisions of the Universal Service Administrator by Children of Peace School Chicago, Illinois, et al.*, 25 FCC Rcd 5492 at n. 17 (2010) (“*Peace Chicago Order*”).

CONCLUSION

The staffing changes and consequential confusion faced by the Milford School District were the main cause of the late filed Form 486. Moreover, USAC never contacted the District to let them know that they had failed to file the form and to give them an opportunity to do so. Accordingly, consistent with Commission precedent, the District requests that the Commission acknowledge the circumstances warranting waiver of the Form 486 filing deadline and grant the waiver.

Respectfully submitted,

MILFORD EXEMPTED VILLAGE SCHOOL
DISTRICT

By: Mark J. Palchick
Mark J. Palchick
Rebecca E. Jacobs

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1200 Nineteenth Street, NW
Suite 500
Washington, DC, 20036
(202) 857-4400
(202) 467-6910 (fax)

CC: Universal Service Administrator

November 4, 2013

Exhibit A

DECLARATION OF JEFF JOHNSON

I, Jeff Johnson, declare the following:

1. I am the Operations Manager for Milford Exempted Village School District ("Milford" or "District"). My responsibilities include supervision and oversight of: all classified personnel; the District's support services; the energy management program for the District; facility maintenance and capital improvement program; nutrition services; transportation; maintenance and custodial; safety programs, including fire inspections and emergency procedures; compliance with state OSHA and management of district insurance programs; union negotiations; security services; building construction; tax abatements, independent contracts, buildings and grounds committee and business advisory council; technology; extended day (latchkey program); and E-rate.
2. Prior to the 2012 Funding Year, the District had a number of personnel changes and the school technology coordinator position was removed.
3. As a result of the loss of the technology coordinator position, responsibility for E-rate matters was added to duties.
4. I properly filed the Forms 470 and 471 for the 2012 Funding Year.
5. In January of 2012, the District hired an outside consultant, Ed Keyes, to take over E-rate matters.
6. I misunderstood at the time that Mr. Keyes was only hired to take over E-rate Matters for the 2013 Funding Year going forward and, as a result, believed that he would file the Form 486 for the 2012 Funding Year.
7. On August 21, 2013, I was contacted by a consultant, unaffiliated with the school, who said that our Form 486 for the 2012 Funding Year had never been filed.
8. I immediately contacted our outside consultant, Mr. Keyes to verify that this was the case and realized what had happened.
9. On August 23, 2013, I filed the Form 486 for the 2012 Funding Year.
10. I have no record of ever receiving a Funding Commitment Decision Letter from USAC nor was I ever contacted by USAC regarding the late filed Form 486.

To the best of my knowledge, I state under penalty of perjury that the Appeal and the foregoing are true and correct.

November 4, 2013



Jeff Johnson

Operation Manager, Milford Exempted Village School District

Exhibit B

FCC Form 486	Do Not Write in this Area	Approval by OMB 3060-0853 Estimated time per response: 1.5 hours
Schools and Libraries Universal Service Receipt of Service Confirmation Form		
To be completed by the Billed Entity Please read instructions before completing. (You can also file online at www.usac.org/sl .)		
Applicant's Form Identifier 486 12-13 (Create your own code to identify THIS Form 486)	Form 486 Application#: 973076 (To be assigned by administrator)	
Block 1: Billed Entity Information		
1. Name of Billed Entity MILFORD EXEMPTED VILLAGE SCHOOL DISTRICT		
2. Billed Entity Number 129854	3. Funding Year July 1, 2012 through June 30, 2013	
4. Complete Mailing Address of Billed Entity Street Address, P.O. Box, or Route Number 777 GARFIELD AVE		
City MILFORD State OH Zip Code 45150 - 1227		
Telephone Number 513-831-1314 Extension	Fax Number 513-831-3208	
5. Contact Person Information Contact Person Name Jeff Johnson		
Street Address, P.O. Box or Route Number 777 GARFIELD AVE		
City MILFORD		
State OH Zip Code 45150 - 1227		
Check the box next to the preferred mode of contact. (At least one box MUST be checked.)		
<input type="checkbox"/> Telephone Number 513-831-1314 Extension	<input type="checkbox"/> Fax Number 513-831-3208	
<input checked="" type="checkbox"/> Email Address johnson_jeff@milfordschools.org		



0486010103

Entity Number 129854
Contact Person Jeff Johnson

Applicant's Form Identifier 486 12-13
Phone Number 513-831-1314

6a. Early Filing

CHECK THE BOX BELOW IF THE FRNS ON THIS FORM 486 ARE FOR SERVICES STARTING **ON OR BEFORE** JULY 31 OF THE FUNDING YEAR.

- ☐ The Funding Requests listed in Block 3 have been approved by USAC as shown in my Funding Commitment Decision Letter (FCDL). I have confirmed with the service provider(s) featured in Block 2: Early Filing Information and CIPA Waiver Requests before July 31 of the Funding Year.

Block 2: Early Filing Information and CIPA Waiver Requests

Remember: Early filing using Item 6a is an option if and ONLY if services will start within the month of July of the relevant Funding Year, all relevant certifications in Block 4 can be accurately made, and the Form 486 is postmarked on or before July 31 of the Funding Year.

6b. CIPA Waiver

CHECK THE BOX BELOW IF YOU ARE REQUESTING A WAIVER OF CIPA REQUIREMENTS FOR THE SECOND FUNDING YEAR AFTER APRIL 20, 2001 IN WHICH YOU HAVE APPLIED FOR DISCOUNTS IF YOU AS THE BILLED ENTITY ARE THE ADMINISTRATIVE AUTHORITY.

- ☐ I am providing notification that, as of the date of the start of discounted services, I am unable to make the certifications required by the Children's Internet Protection Act, as codified at 47 U.S.C. § 254(h) and (l), because my state or local procurement rules or regulations or competitive bidding requirements prevent the making of the certification(s) otherwise required. I certify that the schools or libraries represented in the Funding Request Number(s) on this Form 486 will be brought into compliance with the CIPA requirements before the start of the Third Funding Year after April 20, 2001 in which they apply for discounts.

6c. CIPA Waiver for Libraries for Funding Year 2004

CHECK THE BOX BELOW IF YOU ARE REQUESTING A WAIVER OF CIPA REQUIREMENTS FOR FUNDING YEAR 2004 IF YOU AS THE BILLED ENTITY ARE THE ADMINISTRATIVE AUTHORITY FOR THE LIBRARY(IES) REPRESENTED ON THIS FORM 486.

- ☐ I am providing notification that, as of the date of the start of discounted services in Funding Year 2004, I am unable to make the certifications required by the Children's Internet Protection Act, as codified at 47 U.S.C. § 254(h) and (l), because my state or local procurement rules or regulations or competitive bidding requirements prevent the making of the certification(s) otherwise required. I certify that the libraries represented in the Funding Request Number(s) on this Form 486 will be brought into compliance with the CIPA requirements before the start of the Funding Year 2005.

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FCC Form 486

April 2007

Entity Number	129854	Applicant's Form Identifier	486 12-13
Contact Person	Jeff Johnson	Phone Number	513-831-1314

7. Please provide the following information for each Form 471 Block 5 (Discount Funding Request) item for which the Billed Entity is indicating that the named service provider may begin submitting invoices to SLD. You will need your FCDL for some of the information required below.

Remember: The FRNs listed below must be from the same Funding Year as is listed in Block 1, Item 3.
If you need additional pages, please label them 4A, 4B, 4C, etc. and indicate the number in the space provided here:

Page 1
3

(A) 471	(B) Funding	(C) Service Provider	(E) Funding Year
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Application Number From FCDL	Request Number (FRN) From FCDL	Identification Number (SPIN) From FCDL	(D) Service Provider Name From FCDL	Service Start Date (Earliest Date that Discounted Services Will Begin)
Block 3: Service Information		143027197	Cincinnati Bell Any Distance Inc.	7/1/2012
873105	2382322	143001687	Cincinnati Bell Telephone LLC (OH)	7/1/2012
873105	2382653	143025240	AT&T Mobility	7/1/2012
873105	2383050	143024403	Hamilton Clermont Cooperative Association	7/1/2012
873105	2382810	143024403	Hamilton Clermont Cooperative Association	7/1/2012

0 4 8 6 0 1 0 3 0 3

Entity Number 129854
 Contact Person Jeff Johnson
 Service Information Additional Page: 4A

Applicant's FCDL Identifier 486 12-13
 Phone Number 513-831-1314

(A) 471 Application Number From FCDL	(B) Funding Request Number (FRN) From FCDL	(C) Service Provider Identification Number (SPIN) From FCDL	(D) Service Provider Name From FCDL	(E) Funding Year Service Start Date (Earliest Date that Discounted Services Will Begin)
873105	2382712	143024403	Hamilton Clermont Cooperative Association	7/1/2012
873105	2382751	143024403	Hamilton Clermont Cooperative Association	7/1/2012

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0486010303

Entity Number	129854	Applicant's Form Identifier	486 12-13
Contact Person	Jeff Johnson	Phone Number	513-831-1314

8. ☒ I certify that the entity(ies) receiving discounted services as indicated on this Form 486 are covered by technology plan(s) that have been approved by a state or other authorized body ? a USAC-certified technology plan approver ? prior to the commencement of service and that cover all 12 months of the funding year. If applicable, provide the name(s) of the organization(s) that approved a technology plan for any eligible entity that is receiving services covered under this Form 486. If EVERY FRN listed in the Form 486 is for basic telephone service only, enter "NONE" here.

eTech Ohio (formerly Ohio SchoolNet Commission)



9. ☒ I certify that the services listed on this Form 486 have been, are planned to be, or are being provided to all or some of the eligible entities identified in the Form 471 application(s) cited above. I certify that there are signed contracts covering all of the services listed on this Form 486 except for those services provided on a tariff or month-to-month basis. I certify that I am authorized to submit this receipt of service confirmation on behalf of the above-named Billed Entity; that I have examined this request; and that, to the best of my knowledge, information, and belief, all statements of fact contained herein are true.
10. ☒ I understand that the discount level used for shared services is conditional, for future years, upon ensuring that the most disadvantaged schools and libraries that are treated as sharing in the services receive an appropriate share of benefits from those services. I recognize that I may be audited pursuant to this application and will retain for five years any and all records, including Forms 479 where required, that I rely upon to complete this form and, if audited, will make available to the Administrator such records.

NOTES FOR COMPLETING THE CERTIFICATIONS IN ITEM 11: A Billed Entity who is the Administrative Authority must check Item 11a or 11b or 11c. Check only ONE item. If the Billed Entity is not the Administrative Authority, skip to Item 11d. A Billed Entity who represents one or more Administrative Authorities must check Item 11d or 11e. (See the Form 486 Instructions for Item 11, "Special Notes for Billed Entities Who Represent One or More Administrative Authorities.") A Billed Entity who represents one or more Administrative Authorities in Funding Years after Funding Year 2001 and who checks Item 11d must check Item 11f or 11g. (See the Form 486 Instructions for Item 11, "Special Notes for Billed Entities Who Represent One or More Administrative Authorities.")

IF THIS FORM PERTAINS TO A FUNDING YEAR PRIOR TO FUNDING YEAR 2001 (THE FUNDING YEAR BEGINNING JULY 1, 2001), SKIP TO ITEM 12.

Block 4: Certifications and Signature

0 4 8 6 0 1 0 4 0 3

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FCC Form 486

April 2007

Entity Number 129854

Applicant's Form Identifier 486 12-13

Contact Person Jeff Johnson

Phone Number 513-831-1314

11. FOR A BILLED ENTITY WHO IS THE ADMINISTRATIVE AUTHORITY:

I certify that as of the date of the start of discounted services:

- a. ☒ the recipient(s) of service represented in the Funding Request Number(s) on this Form 486 has (have) complied with the requirements of the Children's Internet Protection Act, as codified at 47 U.S.C. § 254(h) and (l).
- b. ☐ pursuant to the Children's Internet Protection Act, as codified at 47 U.S.C. § 254(h) and (l), the recipient(s) of service represented in the Funding Request Number(s) on this Form 486:
- (FOR SCHOOLS and FOR LIBRARIES IN THE FIRST FUNDING YEAR FOR PURPOSES OF CIPA) is (are) undertaking such actions, including any necessary procurement procedures, to comply with the requirements of CIPA for the next funding year, but has (have) not completed all requirements of CIPA for this funding year.
- (FOR FUNDING YEAR 2003 ONLY: FOR LIBRARIES IN THE SECOND OR THIRD FUNDING YEAR FOR PURPOSES OF CIPA) is (are) in compliance with the requirements of CIPA under 47 U.S.C. § 254(l) and undertaking such actions, including any necessary procurement procedures, to comply with the requirements of CIPA under 47 U.S.C. § 254(h) for the next funding year.
- c. ☐ the Children's Internet Protection Act, as codified at 47 U.S.C. § 254(h) and (l), does not apply because the recipient(s) of service represented in the Funding Request Number(s) on this Form 486 is (are) receiving discount services only for telecommunications services.

FOR A BILLED ENTITY WHO REPRESENTS ONE OR MORE ADMINISTRATIVE AUTHORITIES

- d. ☐ I certify as the Billed Entity for the consortium that I have collected duly completed and signed Forms 479 from all eligible members of the consortium.
- e. ☐ I certify as the Billed Entity for the consortium that the only services that have been approved for discounts under the universal service support mechanism on behalf of eligible members of the consortium are telecommunications services, and therefore the requirements of the Children's Internet Protection Act, as codified at 47 U.S.C. § 254(h) and (l), do not apply.

For Funding Years after Funding Year 2001: If you checked Item 11d above, check ONE of the boxes below:

- f. ☐ I certify that some or all of the eligible consortium members checked Form 479 Item 6d or Item 6e to seek a CIPA Waiver, and upon request from the Administrator I can provide this information; OR
- g. ☐ I certify that no eligible consortium members checked Form 479 Item 6d or Item 6e to seek a CIPA Waiver.

The certification language above is not intended to fully set forth or explain all the requirements of the statute.

¹ See the Form 486 Instructions for Item 11, "Special Notes for Billed Entities Who Represent One or More Administrative Authorities."

~~The certification language above is not intended to fully set forth or explain all the requirements of the statute.~~

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FCC Form 486

April 2007



FCC Form
486

Do Not Write In This Area

Entity Number 129854

Applicant's Form Identifier 486 12-13

Contact Person Jeff Johnson

Phone Number 513-831-1314

Persons willfully making false statements on this form can be punished by fine or forfeiture under the Communications Act, 47 U.S.C. Secs. 502, 503(b), or fine or imprisonment under Title 18 of the United States Code, 18 U.S.C. Sec. 1001.

12. Signature of authorized person

13. Date

14. Printed name of authorized person

Jeff Johnson

15. Title or position of authorized person

Operations Manager

16a. Street Address, P.O. Box, or Route Number

777 Garfield Ave.

City

Milford

State OH

Zip Code

45150 -

16b. Telephone number of authorized person

Extension

16c. Fax number of authorized person

513-831-1314

513-831-3208

16d. Email address of authorized person

johnson_jeff@milfordschools.org

0 4 8 6 0 1 0 6 0 3



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FCC Form 486

April 2007

Entity Number 129854

Applicant's Form Identifier 486 12-13

Contact Person Jeff Johnson

Phone Number 513-831-1314

FCC NOTICE FOR INDIVIDUALS REQUIRED BY THE PRIVACY ACT AND THE PAPERWORK REDUCTION ACT

Part 54 of the Commission's Rules authorizes the FCC to collect the information on this form. Failure to provide all requested information will delay the processing of the application or result in the application being returned without action. Information requested by this form will be available for public inspection. Your response is required to obtain the requested authorization.

The public reporting for this collection of information is estimated to range from 1 to 2 hours per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the required data, and completing and reviewing the collection of information. If you have any comments on this burden estimate, or how we can improve the collection and reduce the burden it causes you, please write to the Federal Communications Commission, AMD-PERF, Paperwork Reduction Act Project (3060-0853), Washington, DC 20554. We will also accept your comments regarding the Paperwork Reduction Act aspects of this collection via the Internet if you send them to PRA@fcc.gov. PLEASE DO NOT SEND YOUR RESPONSE TO THIS FORM TO THIS ADDRESS.

Remember - You are not required to respond to a collection of information sponsored by the Federal government, and the government may not conduct or sponsor this collection, unless it displays a currently valid OMB control number or if we fail to provide you with this notice. This collection has been assigned an OMB control number of 3060-0853.

THE FOREGOING NOTICE IS REQUIRED BY THE PRIVACY ACT OF 1974, PUBLIC LAW 93-579, DECEMBER 31, 1974, 5 U.S.C. 552a(e)(3) AND THE PAPERWORK REDUCTION ACT OF 1995, PUBLIC LAW 104-13, OCTOBER 1, 1995, 44 U.S.C. SECTION 3507.

Please submit this form to:

**SLD Form 486
P. O. Box 7026
Lawrence, Kansas 66044-7026**

For express delivery services or U.S. Postal Service, Return Receipt Requested, send this form to:

**SLD Forms
ATTN: SLD Form 486
3833 Greenway Drive
Lawrence, Kansas 66046
888-203-8100**

0 4 8 6 0 1 0 7 0 3



Applicant's Form Identifier:
Contact Person: Jeff Johnson

Entity Number: 129854
Phone Number: (513) 831-1314

Certifications and Signature

Do not write in this area

486 Application Number: 973076

1. I certify that the entities eligible for support that I am representing have complied with all applicable state and local laws regarding procurements of services for which support is being sought.
2. I certify that the services the applicant purchases at discounts provided by 47 U.S.C. Sec. 254 will be used solely for educational purposes and will not be sold, resold, or transferred in consideration for money or any other thing of value.
3. I certify that the entity(ies) I represent has complied with all program rules and I acknowledge that failure to do so may result in denial of discount funding and/or cancellation of funding commitments.
4. I understand that the discount level used for shared services is conditional, for future years, upon ensuring that the most disadvantaged schools and libraries that are treated as sharing in the service receive an appropriate share of benefits from those services.
5. I recognize that I may be audited pursuant to this application. I will retain for five years any and all worksheets and other records that I rely upon to fill out this application, and, if audited, will make available to the Administrator such records.
6. I certify that I am authorized to submit this request on behalf of the above-named institution, that I have examined this request, and to the best of my knowledge, information, and belief, all statements of fact contained herein are true.

7. Cert ID = 1209398

8. Date 8/23/2013

8. Printed name of authorized person

9. Title or position of authorized person

10a. Street Address, P.O Box or Route Number

10b. Telephone number of authorized person () -

10c. Fax number of authorized person:

10d. E-mail of authorized person:

ATTENTION: If you are signing Form 486 using the PIN assigned to you by SLD, you are reminded that using the PIN is equivalent to your handwritten signature on the form. Your use of the PIN to affirm these certifications means that should they prove untrue, you will be held to the same enforcement standards as those who affirm the certifications on paper. Also, by using the PIN, you are affirming that you have the authority to make these certifications and represent the entity featured in Block One of this funding request.

Please Check to affirm your compliance ☒

486 Application Number:

,

Persons willfully making false statements on this form can be punished by fine or forfeiture, under the Communications Act, 47 U.S.C.Secs. 502, 503(b), or fine or imprisonment under Title 18 of the United States Code, 18 U.S.C.Sec. 1001.

The Americans with Disabilities Act, the Individuals with Disabilities Education Act and the Rehabilitation Act may impose obligations on entities to make the services purchased with these discounts accessible to and usable by people with disabilities.

NOTICE TO INDIVIDUALS: Section 54.504 of the Federal Communication Commission's rules requires all schools and libraries ordering services that are eligible for and seeking universal service discounts to file this Services Ordered and Certification Form (FCC Form 486) with the Universal Service Administrator. 47 C.F.R. § 54.504. The collection of information stems from the Commission's authority under Section 254 of the Communications Act of 1934, as amended, 47 U.S.C. § 254. The data in the report will be used to ensure that schools and libraries comply with the competitive bidding requirement contained in 47 C.F.R. § 54.504. All schools and libraries planning to order services eligible for universal service discounts must file this form themselves or as part of a consortium.

An agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless it displays a currently valid OMB control number.

The FCC is authorized under the Communications Act of 1934, as amended, to collect the personal information we request in this form. We will use the information you provide to determine whether approving this application is in the public interest. If we believe there may be a violation of potential violation of a FCC statute, regulation, rule or order, your application may be referred to the Federal, state, or local agency responsible for investigating, prosecuting, enforcing or implementing the statute, rule, regulation or order. In certain cases, the information in your application may be disclosed to the Department of Justice or a court or adjudicative body when (a) the FCC; or (b) any employee of the FCC; or (c) the United States Government, is a party of a proceeding before the body or has an interest in the proceeding.

If you owe a past due debt to the federal government, the taxpayer identification number (such as your social security number) and other information you provide may also be disclosed to the Department of the Treasury Financial Management Service, other federal agencies and/or your employer to offset your salary, IRS tax refund or other payments to collect that debt. The FCC may also provide this information to these agencies through the matching of computer records when authorized.

With the exception of your social security number, if you do not provide the information we request on the form, the FCC may delay processing of your application or may return your application without action.

The foregoing Notice is required by the Privacy Act of 1974, Pub. L. No. 93-579, December 31, 1974, 5 U.S.C. § 552, and the Paperwork Reduction Act of 1995, Pub. L. No. 104-13, 44 U.S.C. § 3501, et seq.

Public reporting burden for this collection of information is estimated to average 6 hours per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, completing, and reviewing the collection of information. Send comments regarding this burden estimate or any other aspect of this collection of information, including suggestions for reducing the reporting burden to the Federal Communications Commission, Performance Evaluation and Records Management, Washington, D.C. 20554.

Please retain a copy of this page and submit a copy with any communications to the SLD.

[Return to SLD Home Page](#)

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Exhibit C



Universal Service Administrative Company

Schools and Libraries Division

FORM 486 NOTIFICATION LETTER
(Funding Year 2012: 07/01/2012 - 06/30/2013)

September 5, 2013

Jeff Johnson
MILFORD EXEMPTED VILLAGE SCHOOL DISTRICT
777 GARFIELD AVE
MILFORD, OH 45150-1227

Re: FCC Form 486 Application Number: 973076
Applicant's FCC Form 486 Identifier: 486 12-13

This letter is to notify you that the Universal Service Administrative Company (USAC) has received and accepted an FCC Form 486, Receipt of Service Confirmation Form, from you. This notification is to confirm the information that you provided. This information is being shared with the service provider whose Service Provider Identification Number (SPIN) you identified on each Funding Request Number (FRN).

You may be receiving this letter to revise or correct a previous Form 486 Notification Letter. The information contained in this letter supersedes any previous notification you may have received, including, but not limited to, a previously adjusted Service Start Date or previously reduced funding commitment.

An explanation of the data provided in our letter reports is in the Guide to USAC Letter Reports posted in the Reference Area of our website. Complete program information, including invoice deadlines, is also posted on our website. You may also contact our Client Service Bureau toll-free by phone at 1-888-203-8100, by email using the Submit a Question link on our website, or toll-free by fax at 1-888-276-8736.

NEXT STEPS

Discuss with your service provider whether you would like discounts on your bills or to pay your bills in full and be reimbursed for discounts.

Applicants invoice USAC before the invoice deadline using the applicant invoice [FCC Form 472, Billed Entity Applicant Reimbursement (BEAR) Form] for reimbursements of discounts after paying the service provider bills in full. Service providers invoice USAC using the service provider invoice [FCC Form 474, Service Provider Invoice (SPI) Form] after billing applicants for their non-discount portion. Whichever method you choose, you must pay your non-discount portion, as stated in program rules. Program rules also require that participants maintain all documentation for at least five years after delivery of discount service.

TO APPEAL THE SERVICE START DATE/FUNDING COMMITMENT CHANGE DECISION

You have the option of filing an appeal with USAC or directly with the Federal

Communications Commission (FCC).

If you wish to appeal a decision in this letter to USAC, your appeal must be received by USAC or postmarked within 60 days of the above date on this letter. Failure to meet this requirement will result in automatic dismissal of your appeal. In your letter of appeal:

1. Include the name, address, telephone number, fax number, and email address for the person who can most readily discuss this appeal with us.
2. State outright that your letter is an appeal. Include the following to identify the letter and the decision you are appealing:
 - appellant name,
 - applicant or service provider name, if different than appellant,
 - applicant BEN and service provider SPIN,
 - FCC Form 486 Number 973076 and ERN(s) as assigned by USAC,
 - "Form 486 Notification Letter for Funding Year 2012", AND
 - the exact text or the decision that you are appealing.
3. Please keep your letter to the point, and provide documentation to support your appeal. Be sure to keep a copy of your entire appeal, including any correspondence and documentation.
4. If you are an applicant, please provide a copy of your appeal to the service provider(s) affected by the USAC's decision. If you are a service provider, please provide a copy of your appeal to the applicant(s) affected by the USAC's decision.
5. Provide an authorized signature on your letter of appeal.

We strongly recommend that you use one of the electronic filing options. To submit your appeal to USAC by email, email your appeal to appeals@sl.universalservice.org or submit your appeal using the Submit a Question feature on the USAC website. USAC will automatically reply to incoming emails to confirm receipt.

To submit your appeal to us by fax, fax your appeal to (973) 599-6542.

To submit your appeal to us on paper, send your appeal to:

Letter of Appeal
Schools and Libraries Division - Correspondence Unit
30 Lanidex Plaza West
PO Box 685
Parsippany, NJ 07054-0685

For more information on submitting an appeal to USAC, please see Appeals in the Schools and Libraries section of the USAC website.

If you wish to appeal a decision in this letter to the FCC, you should refer to CC Docket No. 02-6 on the first page of your appeal to the FCC. Your appeal must be received by the FCC or postmarked within 60 days of the date of this letter. Failure to meet this requirement will result in automatic dismissal of your appeal. We strongly recommend that you use the electronic filing options described in Appeals posted on our website. If you are submitting your appeal via United States Postal Service, send to: FCC, Office of the Secretary, 445 12th Street SW, Washington, DC 20554.

Schools and Libraries Division
Universal Service Administrative Company

FORM 486 NOTIFICATION LETTER REPORT
(Funding Year 2012)

Funding Request Number: 2382322
Form 471 Application Number: 873105
Service Provider Name: Cincinnati Bell Telephone LLC (OH)
Service Provider Identification Number: 143001687
Billing Account Number: 513-831-1314
Service Start Date: 04/25/2013*
Service Start Date Change Explanation: 120-DAY 486 DEADLINE
Adjusted Funding Commitment: \$5,100.00

Funding Request Number: 2382531
Form 471 Application Number: 873105
Service Provider Name: Cincinnati Bell Any Distance Inc.
Service Provider Identification Number: 143027197
Billing Account Number: 513-831-1314
Service Start Date: 04/25/2013*
Service Start Date Change Explanation: 120-DAY 486 DEADLINE
Adjusted Funding Commitment: \$360.00

Funding Request Number: 2382653
Form 471 Application Number: 873105
Service Provider Name: AT&T Mobility
Service Provider Identification Number: 143025240
Billing Account Number: 513-831-1314
Service Start Date: 04/25/2013*
Service Start Date Change Explanation: 120-DAY 486 DEADLINE
Adjusted Funding Commitment: \$4,500.00

Funding Request Number: 2382712
Form 471 Application Number: 873105
Service Provider Name: Hamilton Clermont Cooperative Association
Service Provider Identification Number: 143024403
Billing Account Number: 513-831-1314
Service Start Date: 04/25/2013*
Service Start Date Change Explanation: 120-DAY 486 DEADLINE
Adjusted Funding Commitment: \$199.50

Funding Request Number: 2382751
Form 471 Application Number: 873105
Service Provider Name: Hamilton Clermont Cooperative Association
Service Provider Identification Number: 143024403
Billing Account Number: 513-831-1314
Service Start Date: 04/25/2013*
Service Start Date Change Explanation: 120-DAY 486 DEADLINE
Adjusted Funding Commitment: \$6,000.00

FORM 486 NOTIFICATION LETTER REPORT
(Funding Year 2012)

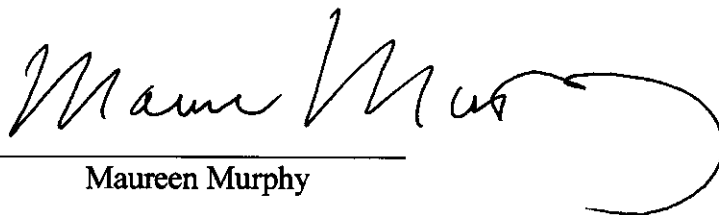
Funding Request Number: 2382810
Form 471 Application Number: 873105
Service Provider Name: Hamilton Clermont Cooperative Association
Service Provider Identification Number: 143024403
Billing Account Number: 513-831-1314
Service Start Date: 04/25/2013*
Service Start Date Change Explanation: 120-DAY 486 DEADLINE
Adjusted Funding Commitment: \$10,162.50

Funding Request Number: 2383050
Form 471 Application Number: 873105
Service Provider Name: Hamilton Clermont Cooperative Association
Service Provider Identification Number: 143024403
Billing Account Number: 513-831-1314
Service Start Date: 04/25/2013*
Service Start Date Change Explanation: 120-DAY 486 DEADLINE
Adjusted Funding Commitment: \$4,339.50

CERTIFICATE OF SERVICE

I, Maureen Murphy, hereby declare that a copy of the foregoing request for review and waiver was sent via U.S. mail, this day, November 4, 2013, to the following, as required by section 54.721(c) of the Commission's rules:

Letter of Appeal
Schools and Libraries Division – Correspondence Unit
30 Lanidex Plaza West
P.O. Box 685
Parsipanny, NJ 07054



Maureen Murphy